

Corey Cheney  
7707 Macedonia Road  
Oakwood Village, Ohio 44146

Plaintiff

Vs

University Hospitals  
3605 Warrensville Center Road  
Shaker Heights, Ohio 44122

Defendant

1:09 CV 00279  
Case No.

09 FEB -5 PM 3:58

Judge

JUDGE GWIN

MAG. JUDGE VECCHIARELLI

COMPLAINT  
Discrimination  
Violation of Title VII of the  
Civil Rights Act of 1964

1. Plaintiff Corey Cheney

2. Plaintiff Address: 7707 Macedonia Road Oakwood Village, Ohio 44146

3. Defendant University Hospitals

4. Defendant Address: 3605 Warrensville Center Road Shaker Heights, Ohio 44122.

5. During the interview process, on or about January 28<sup>th</sup> 2008 first with Defendant Michele Marrow, then Defendant Nagy Ramzy. Plaintiff informed them that he needed to leave work at 6:30 PM to attend the local Kingdom Hall of Jehovah's Witness in order to engage in religious practices

6. Defendant informed the Plaintiff that it would not be a problem to leave work at 6:30 PM to engage in religious practices.

7. After starting, my **orientation only lasted one day and was on the main campus downtown. (See exhibit A)** After my orientation, I reported to work. During the first few weeks, I only trained with Aron Jones one or two days during the week.

8. Defendant informed me that I could come in earlier so that I could engage in my religious practices. I was also told that it would not be a problem to leave early. During the first few weeks, in addition to driving I was told to come in as early as possible to fill a position of a warehouse technician and drive. This is the person who picks the meds for shipping. Defendant authorized me to leave early and informed me that I would not have to work past 6:30 PM on Tuesday and Thursday.

9. An examination of my start and end times, on my time sheet will confirm this. After few weeks Mr. Ramzy informed me that he would no longer be willing to let me finish my shift at 6:30. In order to avoid being insubordinate, I did as Mr. Ramzy asked. One evening I worked as late as 10:00 pm, when I should have been in attendance at the local kingdom hall for religious practices.

10. After doing this for a while I once again informed Mr. Ramzy that I need to be in attendance at the local Kingdom hall of Jehovah's Witness so that I could engage in religious practices. He still would not comply. I then offered to work past 7:30 on Monday, Wednesday and Friday to make up my time and drive on the weekends, to save the company money, even though I did not have to. Mr. Ramzy would not allow me to do this. In an effort to resolve the situation I offered to use 2 hours of my PTO time a week, I was not allowed to do this.

11. I then presented some information on Religious discrimination first to Mr. Ramzy then to Human Resources on April 2, 2008 (See exhibit B & The Date) I asked that a copy be put in my file, as far as I know they did not do this. Even after doing this they still would not grant my request. After doing this, a little over a week later I was terminated. This was in retaliation for presenting information on Religious Discrimination. During the time of my employment I tried my best to resolve the situation yet University Hospitals would not comply.

12. Part of the Civil Rights act of 1964 requires "employers to reasonably accommodate the religious practices of an employee or prospective employee, unless doing so would impose an undue hardship on the employer". It also states that an employer can claim undue hardship when accommodating an employee's religious practices requires more than ordinary administrative costs".

13. In the letter from University Hospitals, addressed to EEOC on the bottom of page 2 and the bottom of page 3 it states **"There would be additional costs for us to hire outside delivery services and pay additional charges for deliveries after 6:00 pm"**. In addition to this it also states " that **"It opens us up to potential liability issues when outside organizations are used. This would increase our financial costs creating an undue hardship for UHHCS"**.

14. The statements that were made are in an effort to justify why they would not accommodate me. Since I was employed there, and even before then, they have been using outside delivery services, and private contractors to make deliveries, which is part of their normal administrative cost. For example looking at the UH homecare Pharmacy delivery Logs (See exhibit C, D, and E under Drivers Initials & Departure Time). You will see that University Hospitals uses outside delivery services threw out the day and even after 6:00pm. Those are all normal administrative cost that have been in place for years.

15. **Key for UH homecare delivery Log**

**L#** - Legend Delivery Service  
**BB** - BOB / Delivery Service  
**CC** - Corey Cheney / UH Employee  
**AJ** - Aaron Jones / UH Employee

16. In addition to that, the outside delivery services are being used at the same that regular full-time drivers are being used. University Hospitals has been using outside delivery companies for many years, including the time that I was employed there. This shows that these are once again normal administrative cost.

17. When I asked Mr. Ramzy to let me leave an hour early on Tuesday and Thursday, I offered to work on the weekends in order to makeup my time and reduce the normal administrative cost of using an outside delivery service. He would not allow me to do this.

18. During my time of employment, I did everything in my power to try and resolve the situation. Since I am one of Jehovah's Witness, I fill that University Hospitals, and Mr. Ramzy did not do what they could in order to accommodate me. All I asked for was an hour on Tuesday's and Thursday's. I was willing to work past my normal shift on Monday Wednesday and Friday.

19. My wife who is also a Jehovah's Witness and who works under Mr. Ramzy has had a similar problem please see **(Exhibit F.)**

20. In order to confirm that University Hospital uses outside delivery services on a regular basis, you can look threw the logs and call the following companies and Drivers. And ask them how long have they been driving for UH and during what times?  
Bob (216) 374-1020 Frank (216) 244-1546 Legend Delivery service (216) 896-0298

21. Plaintiff seeks all back pay from the day of termination and \$7,000,000.00 in punitive damages.

A handwritten signature in cursive script, reading "Corey Cheney".

Corey Cheney  
7707 Macedonia Road  
Oakwood Village, Ohio 44146